

TRANSMITTAL FORM

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Total Number of Pages in This Submission

9

Application Number

10/027,160

Filing Date

December 20, 2001

First Named Inventor

Estes et al.

Group Art Unit

1751

Examiner Name

G. Webb

Attorney Docket Number

US19984054-3

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Documents☐ Response to Missing Partys/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawings☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ Amendment After Allowance☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal to Communication Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm
Or
Individual Name

Stephen D. Krefman, Reg. No. 28,631

Signature

Date

September 22, 2004

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Date

September 22, 2004

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9P-1751
ERW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Estes et al.

Serial No.: 10/027,160

Group Art Unit: 1751

Examiner: G. Webb

Attorney Docket No. 1000276-0003

Certificate of Mailing (37 CFR 1.8(a))

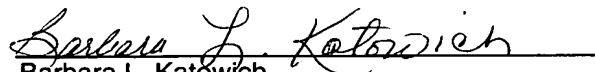
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Mail Stop Non-Fee Amendment
Director of the United States Patent and
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Attention: Commissioner for Patents
PO Box 1450

Alexandria, VA 22313-1450

Date of Deposit: September 22, 2004


Barbara L. Katowich

Response to Notice of Non-Compliant Amendment (37 CFR 1.121)
Dated September 1, 2004

Mail Stop Non-Fee Amendment
Hon. Director of the United States Patent and Trademark Office
Attention: Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The claims and remarks set forth herein are in response to a Notice of Non-Compliant Amendment (37 C.F.R. 1.121) ("Notice") dated September 1, 2004 that the applicants received from the U.S. Patent and Trademark Office ("Patent Office") for the above-identified patent application ("the application"). Because this response is being timely filed with the Patent Office (within one month from the mailing date set forth on the Notice), no extension of time is necessary.

The Notice states that the "amendment document" filed by the applicants with the Patent Office on 8/16/04 ("8/16/04 response") is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003. The Notice further states that,

in order for the “amendment document” to be compliant, correction of the following items is required in the “amendments to the claims”: (1) a complete listing of all of the claims is not present; and (2) each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.